

STATE OF MARYLAND  
DEPARTMENT OF AGRICULTURE  
BEFORE THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF:

\*

RACHEL A. ZIMMERMAN, D.V.M.

\*

DOCKET NO. 13-17A

LICENSE NO. 5867

\*

\* \* \* \* \*

CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order (Consent Agreement), dated this 20<sup>th</sup> day of MARCH, 2014, is between the Maryland State Board of Veterinary Medical Examiners (Board) and Rachel A. Zimmerman, D.V.M. (Dr. Zimmerman), License No. 5867. This Consent Agreement resolves a charging document filed by the Board on November 18, 2013 in Docket Number 13-17A. The charging document alleged that Dr. Zimmerman violated the Maryland Veterinary Practice Act and related Code of Maryland Regulations (COMAR), including recordkeeping for Heather Billings' eleven-month-old dog, "Raggae," on various dates in August 2012 at Celebrie Veterinary Hospital in Kingsville, Maryland. On December 2, 2013, Dr. Zimmerman requested a hearing before the Board. Thereafter, the parties entered into discussions and reached a resolution. Dr. Zimmerman has no prior disciplinary history with the Board. By entering into this Consent Agreement, Dr. Zimmerman waives the right to a hearing and appeal in Docket No. 13-17A.

Under State law, the Board is the licensing authority responsible for regulating the practice of veterinary medicine in this State, which includes filing disciplinary actions against veterinarians charged with violating provisions of the Veterinary Practice Act and related regulations. As part of its authority, the Board "may refuse, suspend, or revoke any application or license, and censure or place on probation any licensee ... if the veterinarian or veterinary practitioner... [f]ails to comply with Board rules and regulation after receiving a license[.]" Md. Code Ann., Agric. Section 2-310(8). In addition, the Board may impose a civil penalty of not more than \$5,000.00 for a first offense, or \$10,000.00 for a second or subsequent offense in lieu of or in addition to suspending, or revoking a veterinarian's license, respectively. Md. Code Ann., Agric. Section 2-310.1. In setting the amount of a civil penalty, the Board shall consider the severity of the violation, the good faith of the violator, and any history of prior violations as well as the Board's regulatory civil penalty standards. Md. Code

Ann., State Government Article Section 10-1001(b); COMAR 15.14.11 Civil Penalty Standards for Veterinarians.

### **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Rachel A. Zimmerman, D.V.M., License No. 5867, by entering into and signing this Consent Agreement, while generally and specifically denying liability in this case, agrees to this Consent Agreement, acknowledging that the Board has sufficient evidence to find, as fact, and conclude, as a matter of law, that she violated the Veterinary Practice Act and a related regulation; specifically, COMAR 15.14.01.10, pertaining to recordkeeping, on or about August 16, 23, 25, 30, and 31, 2012 at Celebrie Veterinary Hospital, 12301 Bel Air Road, Kingsville, Maryland 21087, when she did not adequately document the route or concentrations of medications administered to Heather Billings' eleven-year-old male Lab-Husky mix, "Raggae."

Taking all of the facts and circumstances into account, including the nature of the violation, Dr. Zimmerman's lack of any prior disciplinary history with the Board, and Dr. Zimmerman's good faith effort to resolve the matter, the Board concluded that the following sanctions were reasonable and appropriate.

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 20<sup>th</sup> day of MARCH, 2014, by the Maryland State Board of Veterinary Medical Examiners, **ORDERED** that:

1. Dr. Zimmerman is assessed a civil penalty in the amount of \$900.00 for three violations of COMAR 15.14.01.10, Record Keeping, payment to be made within 30 days of the date of this Order to the Maryland Department of Agriculture with the notation "SBVME – 13-17A."
2. Dr. Zimmerman shall serve a period of probation of one year. While on probation, the veterinarian shall obey all laws and regulations governing the practice of veterinary medicine in this State and the conditions of this Consent Agreement. Violation of probation means that the veterinarian is charged and the Board ultimately concludes that the veterinarian violated the Veterinary Practice Act, related regulations, or the terms of this Consent Agreement during the period of probation, and may result in further disciplinary action and sanctions.
3. As a condition of probation, Dr. Zimmerman shall complete the record-keeping module of Dr. James Wilson's online Veterinary Law and Ethics Course within six months of the date of this Order. Within 30

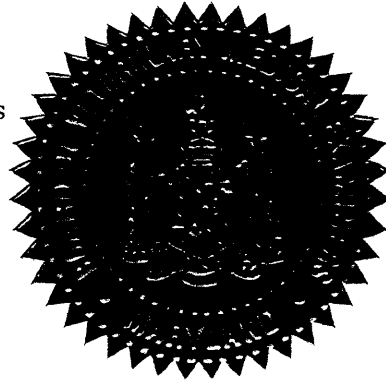
days of completion of the CE, the veterinarian shall forward to the Board proof of completion from the CE provider. Proof will include Dr. Zimmerman's name, the number of credit hours of CE completed, the topics covered, and the dates the CE courses were given. Completion of the CE condition of probation will not be counted toward the 18 credit hours of CE required annually for re-registration of the veterinary license.

David L. Handel, DVM

David L. Handel, D.V.M.

Vice President

Maryland State Board of Veterinary Medical Examiners



**CONSENT**

I, Rachel A. Zimmerman, D.V.M., License No. 5867, acknowledge that I have had an opportunity to consult with legal counsel before entering into this Consent Agreement. By signing this Consent, I hereby acknowledge the legal authority of the Board over this matter and to issue and enforce this Consent Agreement. In order to resolve this matter, I agree to comply with this Consent Agreement, consisting of four pages, including this page. I sign this Consent without reservation as my voluntary act after having had an opportunity to consult with counsel, and I acknowledge that I fully understand the language, meaning, and terms of this Consent Agreement.

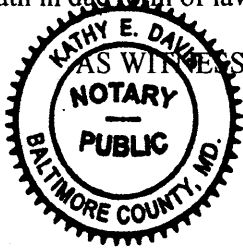
3/12/14  
Date

Rachel A. Zimmerman  
Name

**NOTARY**

STATE OF Maryland  
CITY/COUNTY OF BALTO.

I HEREBY CERTIFY that on this 12 day of March, 2014, before me, a Notary Public of the State and City/County aforesaid, personally appeared Rachel A. Zimmerman, D.V.M., and made oath in due form of law that the foregoing Consent Agreement and Order was her voluntary act and deed.



WITNES my hand and notarial seal.

Kathy E. Davis  
Notary Public

My Commission expires: 04.02.2016.